

City of Washougal
ORDINANCE NO. 1436

AN Ordinance providing for the submission to the qualified electors of the City of Washougal at an election to be held on November 5, 2002, of a proposition authorizing the City to issue its general obligation bonds in the aggregate principal amount of not to exceed \$1,700,000 for the purpose of constructing and equipping a police station.

WHEREAS, the best interests of the inhabitants of the City of Washougal (the "City") require the City to construct and equip a new police station and related facilities and equipment (the "Police Station"); and

WHEREAS, to provide financing for the acquisition of the Police Station it is deemed necessary and advisable that the City issue and sell its unlimited tax levy general obligation bonds in the principal amount of not to exceed \$1,700,000 (the "Bonds"); and

WHEREAS, the constitution and laws of the State of Washington provide that the question of whether or not the City may issue the Bonds be submitted to the qualified electors of the City for their ratification or rejection;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WASHOUGAL, DO ORDAIN, as follows:

Section 1. Findings; Improvements. The City Council hereby finds that the best interests of the inhabitants of the City and the public safety require the City to construct and equip a new police station and related facilities and equipment (the "Police Station"). The estimated cost of the Police Station, including incidental costs and costs related to issuing and selling the Bonds as provided in this ordinance, is estimated to be \$1,700,000. Without limitation, the costs of all necessary consulting services, inspection and testing, administrative expenses and other costs incurred in connection with the acquisition of the Police Station shall be deemed a part of its cost.

The City Council shall determine the exact specifications for the Police Station. If the City Council, by ordinance, shall determine that it has become impractical to complete the Police Station in the original location by

reason of changed conditions, or costs substantially in excess of the amount of bond proceeds or tax levies estimated to be available, the City shall not be required to complete the Police Station in accordance with the original plans. If the Police Station has been completed or duly provided for, or found to be impractical, the City may apply the bond proceeds or any portion thereof to other public safety capital improvements or to the redemption of the Bonds as the Council, by ordinance and in its discretion, shall determine.

Section 2. Authorization of Bonds. For the purpose of providing the funds necessary to pay the costs of the Police Station, together with incidental costs and costs related to the sale and issuance of the Bonds, the City shall issue and sell its general obligation bonds in the aggregate principal amount of not to exceed \$1,700,000. The Bonds shall be issued in an amount not exceeding the amount approved by the electors of the City and not exceeding the amount permitted by the constitution and laws of the State of Washington. The balance, if any, of the cost of the Police Station shall be paid out of any other legally available funds. The Bond proceeds shall not be used for the replacement of equipment or for other than a capital purpose.

The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the City Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the City Council. The Bonds shall mature in such amounts and at such times within a maximum term of twenty years from date of issue, all as authorized by the City Council and as provided by law. The Bonds shall be general obligations of the City and, unless paid from other sources, both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation. The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as hereafter fixed by ordinance or ordinances of the City Council. After voter approval of

the Bond proposition and in anticipation of the issuance of such Bonds, the City may issue short-term obligations as authorized by Chapter 39.50 RCW.

Section 3. Bond Election. It is hereby found and declared that an emergency exists requiring the submission to the qualified electors of the City of a proposition authorizing the City to issue Bonds for the purposes of acquiring and equipping the Police Station, at an election to be held on November 5, 2002. The Clark County Auditor as ex officio supervisor of elections is hereby requested to find the existence of such emergency and to assume jurisdiction of and to call and conduct said general election to be held within the City.

The City Clerk is hereby authorized and directed, not less than 45 days prior to such election date, to certify the proposition to the Clark County Auditor in substantially the following form:

CITY OF WASHOUGAL
PROPOSITION NO. 1436
GENERAL OBLIGATION PUBLIC
SAFETY BONDS -- \$1,700,000

The City Council of the City of Washougal passed Ordinance #1436 concerning a proposition for a police station. This proposition authorizes the City to construct and equip a new police station, to issue general obligation bonds in the principal amount of \$1,700,000, maturing within a maximum of 20 years from issue date, and to levy property taxes annually, in addition to regular tax levies to repay such bonds, all as provided in Ordinance #1436. Should this proposition be:

APPROVED?.....☐

REJECTED?.....☐

Certification of such proposition by the Clerk of the City to the Clark County Auditor, in accordance with law, prior to the date of such election, and any other acts consistent with the authority, and prior to the effective date, of this ordinance, are hereby ratified.

Section 4. Severability. In the event that any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the Bonds, but this ordinance and the Bonds shall be construed and enforced as if such invalid provision had not been contained

herein; provided, however, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 5. Effective Date. This ordinance shall become effective five days after its passage and publication.

PASSED by the City Council of the City of Washougal, Washington at a regular meeting held on the 19th day of August, 2002.

CITY OF WASHOUGAL,
WASHINGTON

By: George Jeffrey Guard, Mayor
Attest: Rabeca Hasart, City Clerk